



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-050

AN ORDINANCE AMENDING SECTIONS 10.115(b) AND (c) NUMBER OF DOGS AND CATS LIMITED, 10.122 (c), (d) AND (g) KENNELS AND 10.123 (d) AND (g) ANIMAL FANCIERS.

The Village Board of the Village of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 10.115(b) and (c) is hereby amended to read as follows:

Sec. 10.115. Number of dogs and cats limited.

(b) Cats. Unless the property owner holds a valid kennel license, valid breeder license or a valid animal fancier license, no individual or family unit living together, firm or corporation shall keep more than the following number of cats over the age of four (4) months on any parcel zoned the following:

Zoning District	Number of Cats Allowed
MH	2 per lot
2F, MF	4 per unit
SF-S, SF-L, RR-2 RR-5, RM, AR	4

(c) Dogs. Unless the property owner holds a valid kennel license, valid breeder license, or a valid animal fancier license no individual or family unit living together, firm or corporation shall keep more than the following number of dogs over the age of four (4) months on any parcel zoned the following:

Zoning District	Number of Dogs Allowed
MF, MH	2 per unit
2F	3 per unit
Single family home in an SF-S, SF-L, RR-2, RR-5, RM, AR or Commercial District (legal non-conforming use)	3

SECTION 2: Section 10.122 (c) and (d) is hereby amended to read as follows:

Sec. 10.122. Kennels.

(c) Application and fee.

- (1) Each person requiring a license under this section shall complete an application form furnished by the village and shall file the completed application with the Village Clerk.
- (2) The application forms furnished by the village under this section shall require the following information and such additional information as the village may deem necessary:

- i. The address, parcel square footage and zoning classification of the subject premises;
 - ii. A list of the types of animals to be kept on the subject premises;
 - iii. The purpose of obtaining the license.
 - iv. A plot plan showing the location of any dog runs or structures used to house the dogs and parking areas for the customers.
- (3) Approval by the ~~Plan-Commission Village~~ of building, site and operational plans as set forth in Chapter 94 Article 4 Sec. 94.4.05(12), Chapter 94 Article 16 Secs. 94.16.04 and 94.16.06.
 - (4) The annual fee to be paid to the village for a kennel license under this section shall be established in the village fee schedule.

(d) *Grant or denial of license.*

- (1) The ~~plan-commission~~ Community Life and Public Safety (CLPS) Committee shall review the application and shall make a recommendation to the Board of Trustees whether to grant or deny the license based on the material submitted in the application, the submitted operational plan and its compliance with Chapter 94 Article 4 Sec. 94.4.05(12), Chapter 94 Article 16 Secs. 94.16.04 and 94.16.06.
- (2) The Village Board, after receiving a recommendation from the ~~plan-commission~~ CLPS Committee, shall vote to grant or deny the license. In addition to the operational plans of subsection (f) below, the plan commission, CLPS Committee or board may impose additional conditions on the grant of any license under this section; and failure to comply with such conditions may be cause for revocation of the license.

(g) *Term of license.* Licenses issued under this subsection shall expire annually on June 30. Renewals of licenses may be granted by the Village Board after recommendation by the CLPS Committee.

SECTION 3: Section 10.123(d) and (g) is hereby amended to read as follows:

Sec. 10.123. Animal Fanciers.

(d) *Grant or denial of permit; Notice.*

- (1) Following review and approval by the Humane Officer, the ~~plan-commission~~ CLPS Committee shall review the application and shall make a recommendation to the Board of Trustees on whether to grant or deny the license.
- (2) The ~~plan-commission~~ CLPS Committee may, but is not required to hold a hearing before deciding whether to recommend to the Village board to grant or deny a license under this section. If the ~~plan-commission~~ CLPS Committee chooses to hold a hearing, a copy of the notice of the meeting at which the hearing will be held shall be mailed to

the owners of property within 300 feet of the applicant's property and the owners of the property immediately across the street at least 14 days prior to the hearing.

- (3) If the ~~plan commission~~ CLPS Committee does not hold a public hearing on the license application, a copy of the meeting notice at which the application will be acted upon shall be mailed to the owners of property within 300 feet of the applicant's property and the owners of property immediately across the street at least 7 days before the meeting.
- (4) The Village board, after receiving a recommendation from the ~~plan commission~~ CLPS Committee, shall vote to grant or deny the license. In addition to the operational plans of subsection (f) below, the plan commission, CLPS Committee or board may impose additional conditions on the grant of any license under this section; and failure to comply with such conditions may be cause for revocation of the license.

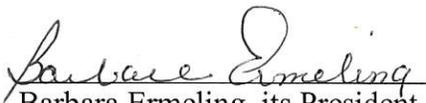
(g) **Term of license.** Licenses issued under this subsection shall expire annually on December 31. Renewals of licenses may be granted by the Village Board after recommendation by the CLPS Committee.

SECTION 4: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

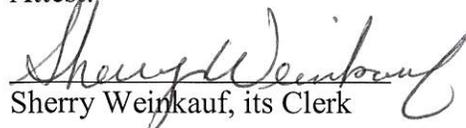
SECTION 5: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 19th day of December, 2016

WESTON VILLAGE BOARD

By: 
Barbara Ermeling, its President

Attest:


Sherry Weinkauff, its Clerk

APPROVED: 12/19/16

PUBLISHED: 12/21/16

Notice of Newly Enacted Ordinances

Please take notice that the Village Board of Weston, Wisconsin enacted Ordinance No. 16-050: *An Ordinance Amending Sections 10.115(b) and (c) Number of Dogs and Cats Limited, 10.122 (c), (d) And (g) Kennels and 10.123 (d) And (g) Animal Fanciers* on December 19, 2016.

The full text of Ordinance may be obtained at the office of the Village Clerk, 5500 Schofield Avenue, Weston, Wisconsin or through the Village's website at <http://www.westonwi.gov/499/Adopted-Ordinances>.

Dated this 20th day of December, 2016
Sherry Weinkauff, Village Clerk

Published: 12/21/16

DAILY HERALD media

A GANNETT COMPANY

STATE OF WISCONSIN
BROWN COUNTY

WESTON VILLAGE OF
5500 SCHOFIELD AVE
WESTON

WI 544764333

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Dated this 20th day of December, 2016
Sherry Weinkauff, Village Clerk
RUN: Dec. 21 WNAXLP

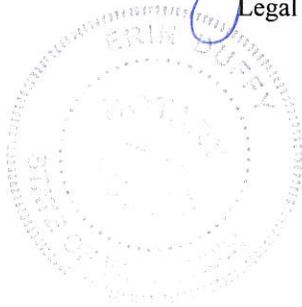
I, being duly sworn, doth depose and say I am an authorized representative of The Wausau Daily Herald, a newspaper at Wausau Wisconsin and that an advertisement of which the annexed is a true copy, taken from said paper, which published therein on:

Account Number: GWM-WES425
Order Number: 0001812063
No. of Affidavits: 1
Total Ad Cost: \$14.42
Published Dates: 12/21/16

VOUCHER APPROVAL

Account Number: 10-01-51420 -321-000
Description: WDH ord publication
Ord 16-050 Chapter 10
Approved by [Signature] 1/10/17
Initials Date

(Signed) [Signature] (Date) 12/23/16
Legal Clerk



Signed and sworn before me

[Signature]

My commission expires 5-25-18

WESTON VILLAGE OF
Re: Notice of Newly Enacted Ord. 16-050

GANNETT WI MEDIA
435 EAST WALNUT ST.
PO BOX 23430
GREEN BAY, WI 54305-3430

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PHONE 920-431-8298
FAX 877-943-0443
email: WDH-Legals@wdhmedia.com

**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: **JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT**

ITEM DESCRIPTION: **ORDINANCE NO. 16-050 AN ORDINANCE AMENDING SECTIONS 10.115(B) AND (C) NUMBER OF DOGS AND CATS LIMITED, 10.122 (C), (D) AND (G) KENNELS AND 10.123 (D) AND (G) ANIMAL FANCIERS.**

DATE/MTG: **BOARD OF TRUSTEES; MONDAY, DECEMBER 19, 2016**

POLICY QUESTION: Should the Board of Trustees approve the amendment to the zoning ordinance as proposed by staff?

RECOMMENDATION TO: I make a motion to endorse approval of Ordinance No. 16-050.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |

FISCAL IMPACT ANALYSIS:

- | | |
|--|-----|
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budgeted Expenditure: | N/A |
| <input type="checkbox"/> Budgeted Revenue: | N/A |

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|--------------------|
| <input type="checkbox"/> WI Statute: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input checked="" type="checkbox"/> Municipal Code: | Chapter 10 Animals |
| <input type="checkbox"/> Municipal Rules: | _____ |

PRIOR REVIEW: Staff Review only

BACKGROUND: Due to the proposed addition of a new RM Rural Mix zoning district into the zoning ordinance, a change to Chapter 10 Animals is also required as the number of cats and dogs allowed depends on the zoning district the property is in.

Staff is also proposing a change to the committee that approves Kennel and Animal Fancier Licenses. Instead of the license being reviewed by the Plan Commission and the Commission give a recommendation to the Board, CLPS will review. The PC or Staff will still review per the zoning ordinance for building site and operational plans as some districts require a conditional use permit prior to the issuance of the license. If that is the case PC will follow the CUP approval procedures of the zoning code prior to sending to CLPS for review. Those not requiring a CUP will be reviewed by staff and sent through CLPS.

Attachments – Ord. No. 16-050